

## **PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD**

**MONDAY, FEBRUARY 9, 2004**

**3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II**

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Bloomfield, Kirk, Kreider, Raser, Senhauser, Spraul-Schmidt, and Sullebarger present. Absent: Wallace

### **MINUTES**

The minutes of the Monday, January 26, 2004 meeting were unanimously approved (motion by Sullebarger, second by Spraul-Schmidt).

[Mr. Kreider joined the meeting]

### **CERTIFICATE OF APPROPRIATENESS, TRANSITION ZONE APPROVAL, AND ZONING VARIANCES, CENTRAL PARKWAY TO 12<sup>TH</sup> STREET, BETWEEN VINE AND JACKSON STREETS, OVER-THE-RHINE HISTORIC DISTRICT**

Urban Conservator Forwood presented the staff report on this request for a Certificate of Appropriateness (COA), transition zone (T-Zone) approval and zoning variances for a multi-level parking garage and residential/retail development to be constructed on the block bounded by Vine, East 12<sup>th</sup>, and Jackson Streets, and Central Parkway. The project site is located within the Over-the-Rhine (OTR) Historic District and is in two separate zoning districts (O-2 [Urban Office District] and R7-T [Multi-Family High Density Transition District]). Mr. Forwood explained that staff is suggesting that the Board review the project initially for T-Zone approval, zoning variances, and a COA to permit site preparation. This would allow the applicants to move forward with the project, stay on schedule, and additional time to consider design modifications. The Board would consider the COA for the final design at a later date.

The Board reviewed a preliminary design for the proposal on January 12, 2004 and again during a joint meeting of the Urban Design Review Board and the Historic Conservation Board on January 26, 2004. The proposed development includes a seven level parking garage on the eastern two-thirds of the site and a four-story residential development on the western third of the site. The residential portion will front on Vine Street and include street-level retail and live/work spaces.

Mr. Forwood stated that the applicants submitted an application to obtain the necessary zoning variances; therefore, the project (and any additional submissions) will be reviewed under the current Zoning Code. Since the project is located within a T-Zone, the less restrictive zoning of the O-2 District may be applied to the entire project. T-Zone approval is necessary to allow the sub-minimum size and/or square footage of select parking spaces in the development. Additionally, a zoning variance is necessary to permit the live/work spaces without the limitations put on that use as stipulated by the Zoning Code.

Upon Mr. Bloomfield's request, Mr. Senhauser summarized the Urban Design Review Board's (UDRB) review of the project, which occurred prior to this meeting. The UDRB preferred the rust-colored alternative for the screening of the garage. The UDRB

expressed concern with the number of elements and the relative scale of the Central Parkway elevation. There was discussion, although no conclusion, regarding two alternatives for the lighting on the top deck of the garage. The applicants presented a landscaping plan utilizing street trees, paving patterns, and vines planted in the openings of the sidewalk along Jackson Street. There was additional landscaping along the 4' raised area outside the live/work spaces on Vine Street. The developer added a retail bay along Central Parkway adjacent to the garage entrance, and a residential entry at mid-block. Additionally, the Central Parkway façade showed a banner or marquee scheme (as yet unfunded).

Mr. Senhauser acknowledged individuals wishing to address the Board.

Marge Hammelrath stated she represented the OTR Foundation and the newly formed OTR Gateway Task Force. She pointed out that the individuals who care most about OTR were not consulted regarding the project until the plans were in place. She acknowledged that the neighborhood desperately needs a parking garage, but suggested the design should be compatible with the historic district, but as proposed, it could be placed anywhere. Ms. Hammelrath stated that the community's image is important to its future and emphasized that the structure would serve as a gateway to OTR. She requested that adequate time be taken to ensure a good design, that more parking be included and that consideration be given to incorporating commercial uses on the first floor.

John Hauck stated that there has been much dissatisfaction, but no consensus of how the development should look. The OTR Gateway Task Force was developed to give the citizens an opportunity to collaborate and give coherent input to City Council and the Historic Conservation Board. He acknowledged the time constraints of the project, the defined footprint, and established uses; however, he suggested the following be taken into consideration:

- 1) The exterior design should be compatible with the historic district and include significant treatment to characterize it as a gateway to OTR. The north side of the garage should more directly reflect the unique historic neighborhood and not be a continuation of the vehicular character of Central Parkway.
- 2) The community wants animation on Vine Street. Interaction can be enhanced by retail on the first floor.
- 3) Increase the parking capacity to better accommodate the neighborhood, possibly by utilizing the second and third floors of the residential portion for parking, and locating the residences on the upper floors.

Tom Besauceney, President of the OTR Chamber of Commerce, stated that Mr. Hauck's comments were a good summation of the Chamber's concerns. He said that the Chamber supports the variances required for the live/work areas. The Chamber is apprehensive that the structure would be approved only to have budget caps necessitate elements being eliminated, citing the Seventh and Broadway garage as an example. He agreed that more consideration should be given to the design of the residential portion, as highlighted by Mr. Hauck. Mr. Besauceney stated that the Chamber's primary concerns are that there be adequate parking for Kroger and the neighborhood (with a minimum of 1000 spaces) and that the condominiums be marketable. He pointed out that eight of the units are at street level and accessed through the garage and that the Chamber's preference was to situate

the residential units on top the garage. He suggested that consideration should first be given to parking, followed by appearance and then the residential component.

Chuck Downton, 1342 Broadway, emphasized the importance of this project to the residents of OTR. He suggested that if the design does not reflect the character and history of the people and architecture of OTR, future developers would likewise not respect the unique characteristics of the historic neighborhood.

Co-applicant Rick Kimbler, R.M. Kimbler, Interest, Inc., voiced his respect for the individuals addressing the Board with concerns that demonstrated their passion for the neighborhood. He expressed his opinion that if the residential component of the development were not constructed in 2004, it would never be built. He explained that there are significant costs associated with the residential portion, including approximately \$400,000 for site remediation and \$800,000 for the 30 spaces of underground parking to serve the residences. He stated it was not their intent to incorporate elements of the historic district into the development, but instead to have the design be reflective of 2004. He pointed out that significant improvements were made to the design by moving the entry to mid-block, locating commercial areas on the corners of the building, and incorporating live/work spaces on the first floor.

Mr. Kimbler stated additional considerations of the design team. Realizing that there is not a market at this time for first floor retail in the Central Business District, they made a conscious decision not to include a large amount of retail space that would likely remain vacant. He suggested that incorporating live/work spaces as opposed to residential was a good compromise. He expressed confidence that the units would be economically priced and would attract first time buyers and/or young professionals. In response to comments by Mr. Besauceney, he stated he was not aware of any elements of the Seventh and Broadway garage as approved by the UDRB that were not built. He pointed out that they have air rights to sell units above the garage, but were unable to pre-sell any units. He stated that his goal for this development was to secure the financing to build a shell so the units can be pre-sold. He felt the project would trigger a rebirth of Vine Street.

Jenifer Briley, design architect with Arquitectonica, and Rob Thrun, of Al Neyer, Inc. presented the most recent design changes. Mr. Thrun reiterated the primary modifications including the relocation of the residential entry to mid-block on Vine with retail at both ends and the change of the first floor use from typical condominium units to live/work space. Additional changes included changing the shape of the cornice to create a shadow line and give reference to the more traditional architecture on Vine Street. The reveals dividing the brick facades were also emphasized to give more verticality and to be more in rhythm with the buildings on the street.

Ms. Briley pointed out that parking garage is not of raw concrete, but is pre-cast, mimicking a stone-like finish. She presented two options for the screening material of the garage, one in blue and the other in rust. She noted that they recommended the rust tone since it is in keeping with the colors in OTR. Aggressive growing ivy has been located at the bottoms of the columns on Jackson that will create a green façade. The plaid concept prevalent on Vine Street was extended to the garage, adding a second layer of detail to the pre-cast. She described two solutions to the lighting on the upper deck including a red metal trelliswork design and the other an 8' cast concrete, conical bollard.

In response to Mr. Bloomfield, Ms. Briley stated that there were subtle changes to the Vine Street elevation since the last presentation, which included increasing the amount of glass and enhancing the loft-like character of the apartments. Planter boxes were also added atop the slate walls to create a horizontal pattern in front of the live/work spaces.

Ms. Briley described an alternative design for the Central Parkway façade, which showed the tower widened and a marquee or art banners covering the central bay. Some openings have been infilled with pre-cast material to minimize the visibility of cars from Central Parkway. The developer is also considering placing small retail units which could be allocated to the Art Academy for displaying their work.

A landscape/streetscape plan was presented. The street trees will be in keeping with those currently used by the City. The lighting will alternate with the trees to create a well-lit space. A concrete sidewalk with colored pavers extending the plaid design of the building is proposed at the corners of Central Parkway and Vine and at the retail and residential entries. English ivy vines will cling to the columns along Jackson Street to create a green façade and junipers are proposed for the planters on Vine Street.

Mr. Bloomfield commented that the residential component is being developed in the same language as the garage, but should be treated differently. He suggested reconsidering the housing portion (perhaps by raising it farther off the street). Mr. Raser and Mr. Bloomfield agreed that the project should move forward, granting the work/live and parking variances and a COA to begin site work. Mr. Raser emphasized that he could not approve the design as proposed since it was far away from satisfying six of the nine historic district guidelines for new buildings and because the design was not contextually appropriate for the its location.

Chad Munitz, Economic Development Director, acknowledged that the City views the project as the gateway to Over-the-Rhine. He provided additional information regarding the background of the development. The project was formally approved by Council in September 2003 with a cap of \$12 million for the garage. The agreement with the Kroger Company stipulates a minimum of 900 parking spaces - 850 allocated to Kroger. The hope was to have as many parking spaces as possible and remain within the project budget. The City received three responses to the Request for Proposals and two more that could not be considered since they were received late. He pointed out that the garage would become the property of the Kroger Company at the end of 30 years. There was never discussion regarding overbuilding due to the significant cost and due to complications that would arise from the Kroger Company eventually owning the garage component.

In response to Ms. Sullebarger, Mr. Munitz stated that the guidelines stipulated in the RFP dealt with aesthetics in treating the structure as a gateway, and raw number in terms of contractual obligations. Mr. Kimbler added that the garage component was to be a minimum of 62' to 64' wide with the balance to the residential. There was to be a minimum of 850 parking spaces and a maximum of 1000. The development was to include 25-40 residential units on Vine Street. The finished product was to be delivered and open for business by March 31, 2005. He confirmed that the RFP specified that the structure should conform to the OTR Historic District Guidelines.

**BOARD ACTION**

The Board voted unanimously (motion by Sullebarger, second by Ms. Spraul-Schmidt, Mr. Kreider abstaining) to take the following actions, conditioned upon project approval:

1. Grant a T-Zone approval to allow the sub-minimum size and/or square footage of select parking spaces in the development, conditioned upon the approval of a COA for the entire project;
2. Grant relief from the limitations outlined in Section 1413-211(b) of the Zoning Code to permit home occupations on the first floor residential units along Vine Street, finding that such relief from the Zoning Code:
  - a. Is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
  - c. Will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity; and
3. Approve a Certificate of Appropriateness to allow site preparation including the removal of underground tanks and any environmental remediation.

[Mr. Kirk joined the meeting]

**CERTIFICATE OF APPROPRIATENESS, 1899 MADISON ROAD, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member Adrienne Cowden presented the staff report for this request for a Certificate of Appropriateness for the construction of a new single-family residence at 1899 Madison Road, within the East Walnut Hills Historic District. Ms. Cowden explained that this is a revision to a design previously approved by the Board at this location.

Bill Hahn, owner and resident of 1887 Madison Road, the only person in attendance at the pre-hearing, voiced his approval of the design. Sally Wilson, 1901 Madison Road contacted staff by phone and expressed the same concerns she had with the previous application namely, the potential loss of old growth trees and noise and dirt associated with construction.

Ms. Cowden stated that the redesign is compatible with the historic district in terms of architectural style, massing and materials; however, staff believes modifications could be made so the design better meets the historic district guidelines. Two of the three garages now share a single paneled overhead door. Staff recommends that the applicant divide the large overhead door and create three separate bays with separate doors. Staff is also recommending site improvements, including additional plantings to softening the visual effect of the walled garden area and to mitigate the loss of a mature oak tree. Additionally, staff believes consideration should be given to removing the chain-link fence and overgrown hedgerow along Madison Road and Baker Place. The original site plan also showed a sidewalk connecting the front door to Madison Road, which was eliminated in the revised plan. Although there are homes along Madison Road that do not have a sidewalk connection, staff is recommending the connection be reintroduced (which would be in accord with similar Board decisions). Ms. Cowden added that with the house being wider and taller than originally proposed, it is now approximately 10'

closer to Baker Place. The Zoning Examiner has indicated that as proposed, the new scheme meets the requirements for the area and would not require zoning variances.

In response to Mr. Raser, Ms. Cowden confirmed that the East Walnut Hills Assembly was notified of the application, although staff received no communication from them regarding the proposal. Additionally, the existing stone "Baker Place" marker is shown on the site plan as an existing feature, and there is no indication that it will be removed.

The applicant/architect Robert Sala was present to respond to questions from the Board. In response to Mr. Kreider, Mr. Sala explained that the stucco entry surround on the north façade is approximately 1-½" deep. Although it is not shown in the drawings, there is a single door without sidelights set 5' behind the wall plane. Mr. Kreider also emphasized the importance of saving the 24' oak tree, if possible. In reply to Mr. Raser, Mr. Sala stated that they are proposing Kolbe & Kolbe metal clad wood windows.

[Mr. Bloomfield left the meeting]

Mr. Senhauser observed that the stucco relief surrounding the entryway was not commensurate with the level of finish seen in the limestone water table, stucco walls and clay tile roof. Mr. Sala responded that limestone also appears on the horizontal surfaces of the entranceway.

Following the Board's unanimous approval of the staff recommendation (motion by Bloomfield, second by Raser), Mr. Chavez commented that he would be living in the residence and did not wish to have the sidewalk extend to Madison. He noted that the sidewalk connection that appeared in the previous design was for a different user. He pointed out that the adjacent neighbor has a home that fronts Madison; however, there is no sidewalk connection to Madison. Mr. Senhauser commented that including the sidewalk connection would address a true notion of a front entry and was more of a formal gesture than a physical path. Ms. Sullebarger stated that she understood the argument for a central walk given the symmetrical, formal nature of the house; however, she would be willing to reconsider since there was a precedent. Mr. Kreider agreed that he would be willing to eliminate the sidewalk connection as a requirement, but encouraged the applicant and owner to consider creating a lens from Madison to give some visibility to the residence, since the hedge and chain-link fence would remain. Mr. Sala replied that a future owner who wishes to connect a sidewalk to Madison could do so with little effort.

Mr. Senhauser agreed to reconsider, but suggested that the walk from Baker Place have a formality similar to the house.

The Board voted unanimously to reconsider, motion by Kreider, second by Sullebarger.

Mr. Sala disagreed with the recommendation that the walkway should be made more formal. He asserted that under normal circumstances, the formal entrance would be on Madison. A more formal walkway from Baker Place calls more attention to itself and defeats the purpose. Mr. Sala cited the adjacent house at 1901 Madison Road as an example of having a formal entry and a meandering path to the side. Mr. Kreider replied that the proposed residence is more formal than that house and that generally, houses in the East Walnut Hills Historic District have a formal statement to them, which includes the entry.

**BOARD ACTION**

The Board voted unanimously (motion by Kreider, second by Sullebarger) to take the following actions:

1. Find that the proposed new residence at 1899 Madison Road meets the East Walnut Hills Historic District guidelines; and
2. Approve a Certificate of Appropriateness with the following conditions:
  - a. Each garage shall have a separate overhead door;
  - b. The applicant consider additional plantings in front of the walled garden to soften the visual effect of the wall;
  - c. The applicant consider the removal or replacement of the existing hedgerow and chain-link fence along Baker Place and Madison Road;
  - d. The walkway connecting the main entrance on Baker Place shall be revised to exhibit a more formal approach; and
  - e. Final construction drawings shall be submitted to the Urban Conservator for approval prior to construction.

**OTHER BUSINESS**

Mr. Forwood informed the Board that the Zoning Board of Appeals upheld the Board's decision regarding 3742 Sachem Avenue. The Neighborhood and Public Services Committee will hear the appeal for the Certificate of Appropriateness on February 10, 2004.

**ADJOURNMENT**

As there were no other items for consideration by the Board, the meeting adjourned.

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William L. Forwood  
Urban Conservator

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John C. Senhauser  
Chairman

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Date